

1 RYAN S. BENYAMIN, State Bar No. 322594  
2 WILSON SONSINI GOODRICH & ROSATI  
3 Professional Corporation  
4 1900 Avenue of the Stars, 28th Floor  
5 Los Angeles, California 90067  
6 Telephone: (424) 446-6913  
7 Facsimile: (866) 974-7329  
8 rbenyamin@wsgr.com

9 JEREMY P. AUSTER (*pro hac vice*)  
10 WILSON SONSINI GOODRICH & ROSATI  
11 Professional Corporation  
12 1301 Avenue of the Americas, 40th Floor  
13 New York, New York 10019  
14 Telephone: (212) 999-5800  
15 Facsimile: (866) 974-7329  
16 jauster@wsgr.com

17 *Counsel for Defendant Google LLC*

18 UNITED STATES DISTRICT COURT  
19 NORTHERN DISTRICT OF CALIFORNIA

20 DAVID STEBBINS,

21 Plaintiff,

22 v.

23 GOOGLE LLC,

24 Defendant.

) CASE NO.: 3:23-cv-00322-TLT  
)  
)  
) **DEFENDANT GOOGLE LLC'S**  
) **OPPOSITION TO PLAINTIFF'S**  
) **MOTION TO VACATE JUDGMENT**  
) **[DKT. 73]**

) Action Filed: January 20, 2023  
)  
)

1 Defendant Google LLC opposes Plaintiff's September 1, 2023 Motion to Vacate the  
 2 Court's August 31, 2023 Order dismissing this case and declaring him a vexatious litigant in the  
 3 Northern District of California. *See* Dkt. 73 (Motion); Dkt. 71 (Order).

4 Though titled a "Motion to Vacate," this is substantively a Motion for Reconsideration for  
 5 which Plaintiff did not seek or obtain leave to file in accordance with Civil Local Rule 7-9(a). Nor  
 6 would leave be warranted, since Plaintiff simply reiterates the same arguments that he made or  
 7 could have made in prior briefing, which is prohibited by Local Rule 7-9(c) ("Any party who  
 8 violates this restriction shall be subject to appropriate sanctions."). Plaintiff's Motion also  
 9 mischaracterizes aspects of the Court's Order, launches ad hominem attacks, and needlessly  
 10 multiplies proceedings. It should be denied.  
 11

12  
 13 Dated: September 15, 2023

Respectfully submitted,

14  
 15 WILSON SONSINI GOODRICH & ROSATI  
 Professional Corporation

16 By: /s/ Ryan S. Benyamin

17 Ryan S. Benyamin  
 18 1900 Avenue of the Stars, 28th Floor  
 19 Los Angeles, California 90067  
 Telephone: (424) 446-6913  
 20 Facsimile: (866) 974-7329  
 rbenyamin@wsgr.com

21  
 22 Jeremy P. Auster (*pro hac vice*)  
 1301 Avenue of the Americas, 40th Floor  
 23 New York, New York 10019  
 Telephone: (212) 999-5800  
 24 Facsimile: (866) 974-7329  
 jauster@wsgr.com

25  
 26 *Counsel for Defendant Google LLC*  
 27  
 28